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September 4, 2020

Application GRANTED. Plaintiffs may file the letter in response to Defendants' September 2, 2020, letter motion (Dkt. No. 636), under seal and in redacted form.


Pursuant to Individual Rule D.3, Defendants shall file any letter in support of Plaintiffs' motion to file in redacted form by **September 11, 2020**.

The Honorable Lorna G. Schofield
United States District Judge
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Filed via ECF

Date: September 9, 2020
New York, New York

Re: *Nypl, et al. v. JPMorgan Chase & Co, et al.*,
Case No. 1:15-cv-9300


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Dear Judge Schofield:

The *Nypl* Plaintiffs respectfully request approval to file the letter in response to Defendants September 2, 2020, (Dkt. Nos. 636) under seal and in redacted form, pursuant to Rule I.D.3 of Your Honor's Individual Rules and Procedures for Civil Cases ("Individual Rules").

The letter response contains references to information designated by Defendants as confidential/highly confidential pursuant to the Stipulation and Order of Confidentiality entered by the Court on November 13, 2017 (Dkt. No. 249). In accordance with this Court's Individual Rules, Plaintiffs have provisionally redacted references to material designated as confidential/highly confidential by Defendants. Pursuant to Rule I.D.3 of this Court's Individual Rules, however, the party "with an interest in confidential treatment bears the burden of persuasion." Individual Rules, Rule I.D.3. In this case, Defendants, as the parties that made the relevant confidentiality designations, are those with an interest in confidential treatment. Accordingly, Defendants should "promptly file a letter on ECF within two business days in support of the motion," explaining why they seek to have the joint letter filed in redacted form pursuant to Rule I.D.3 of this Court's Individual Rules.

Plaintiffs further respectfully reserve the right to challenge the Defendants' confidentiality designations in the future pursuant to Stipulation and Order of Confidentiality. Nevertheless, Plaintiffs submit this letter consistent with the applicable procedures set forth in the Court's Individual Rules where the filing party is not the party asserting an interest in the confidential treatment of the redacted information.

In accordance with Your Honor's Individual Rules and the Confidentiality Order, the *Nypl* Plaintiffs respectfully request that this Court grant it permission to file the letter opposition under seal and in redacted form.

Hon. Lorna G. Schofield
September 4, 2020
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Respectfully submitted,

ALIOTO LAW FIRM

By: /s/ Joseph M. Alioto
Joseph M. Alioto

*Attorneys for Plaintiffs and All Others
Similarly Situated*

C: All Counsel by ECF